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11 CLAUS MARCUSLUND

12  
13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,  
16 Plaintiff,  
17 vs.  
18 CLAUS MARCUSLUND,  
19 Defendant.

Case No. 1:23-cr-00141-JLT-SKO

**STIPULATION TO VACATE STATUS  
CONFERENCE AND SET FOR CHANGE-  
OF-PLEA HEARING; ORDER**

Date: February 20, 2024  
Time: 8:30 a.m.  
Judge: Hon. Charles R. Breyer

20 IT IS HEREBY STIPULATED by and between the parties through their respective  
21 counsel, Assistant United States Attorney David Gappa, counsel for plaintiff, and Assistant  
22 Federal Defender Erin Snider, counsel for Claus Marcuslund, that the Court may vacate the  
23 status conference currently scheduled for January 17, 2024, at 1:00 p.m. and set a change-of-plea  
24 hearing on February 20, 2024, at 9:00 a.m.

25 The parties agree and request that the Court make the following findings:

26 1. By previous order, this matter was set for a status conference on January 17,  
27 2024, at 1:00 p.m.

28 2. The parties have reached a tentative resolution to resolve the case.

3. The parties therefore request that the Court vacate the January 17, 2024, status  
conference and set a change-of-plea hearing on February 20, 2024, at 9:00 a.m.

4. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,

1       *et seq.*, within which trial must commence, the parties agree that the time period of January 17,  
2       2024, to February 20, 2024, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(1)(G) and  
3       (h)(7)(B)(iv). Specifically, the parties agree that the ends of justice served by continuing the case  
4       as requested outweigh the interest of the public and the defendant in a trial within the original  
5       date prescribed by the Speedy Trial Act because the continuance ensures continuity of counsel  
6       and the delay results from defense counsel's continued review of discovery and case assessment,  
7       defense counsel's need to review the plea agreement with her client, and the court's  
8       consideration of the plea agreement.

## IT IS SO STIPULATED.

Respectfully submitted,

PHILLIP A. TALBERT  
United States Attorney

Date: January 10, 2024

/s/ David Gappa  
DAVID GAPPA  
Assistant United States Attorney  
Attorney for Plaintiff

HEATHER E. WILLIAMS  
Federal Defender

Date: January 10, 2024

/s/ Erin Snider  
ERIN SNIDER  
Assistant Federal Defender  
Attorney for Defendant  
CLAUS MARCUSLUND

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## ORDER

**IT IS SO ORDERED.** The status currently scheduled for January 17, 2024, at 1:00 p.m. is vacated. A change-of-plea hearing is hereby set for February 20, 2024, at 9:00 a.m. before the Honorable Jennifer L. Thurston. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of January 17, 2024, to February 20, 2024, inclusive, is excludable pursuant to 18 U.S.C. § 3161(h)(1)(G) and (h)(7)(B)(iv).

Date: 1/10/2024

Sheila K. Oberto

Hon. Sheila K. Oberto  
United States Magistrate Judge